

Minutes
**Labor-Management Advisory Council on
Workers' Compensation**

March 30, 2007

1:30-2:30 pm

Advisory council members present: Lt. Governor John Bohlinger, Jason Miller, Annette Hoffman, Don Judge, Dan Lee, Riley Johnson, Connie Welsh, Bob Worthington, Jerry Keck

Advisory council members excused: Doug Buman, Jacquie Helt, Bill Dahlgren.

I. Approval of Agenda and Meeting Minutes

The minutes for the March 23rd conference call and today's agenda were approved.

II. Status of Workers' Compensation Bills

It was decided to have Jerry Keck review the current status of active workers' compensation bills before discussing Advisory Council options.

- HB 65, Revise uninsured employer's subsequent injury fund – Signed by the Governor.
- HB 72, Revise professional employer organization law – Signed by the Governor.
- HB 738, Revise work comp law for claim closure and medical services rates – Passed 3rd reading 50-0; returned to the House for concurrence. Don Judge moved to approve as amended; Riley Johnson 2nd the motion and the Council voted unanimously to approve the legislation as amended.
- HB 785, Exempting certain athletes from workers' compensation – Awaiting committee action; already acted on.
- HB 786, Exempt from work comp law certain motor carriers – Passed 3rd reading, 50-0, transmitted to Governor; already acted on.
- SB 97, Clarify handling of highway patrol work comp claims – Signed by the Governor.
- SB 108 – Revise work comp laws-ind. contractors-med. fees-impaired insurers-etc. – Transmitted to the Governor, already acted on.
- SB 214, Independent contractor exemption for certain corporate officers – Passed out of committee with amendment, 94-5; returned to Senate with amendments; already acted on.
- SB 426, Revise attorney fees for medical benefits in work comp cases – Nontabled in committee; no action taken by Advisory Council.
- SB 444, Revise APRN treating of injured workers – Hearing on 3/30 – Don Judge reported no opponents, no informational witnesses and no questions from the committee; already acted on.

Don Judge moved, Jason Miller seconded that the Advisory Council recommend approval of HB 738 as amended. The motion passed unanimously.

Bob Worthington moved, Annette Hoffman seconded that the Advisory Council approve "Draft 2, Position Statement on bills that exempt certain groups of individuals from coverage by the Workers' Compensation Act," to explain the "approve with reservations" action taken on HB 785 and HB 786. The motion passed unanimously.

V. Agenda Items for Advisory Council Meeting in May

The next onsite meeting is scheduled for afternoon of May 15, following the NCCI State Advisory Forum. The council agreed not to add additional items to the agenda. The time frame was extended to 5:00 pm. Riley Johnson requested more information at the meeting on exemptions and cost shifting.

- Summary of insurer financial results by Mari Kindberg of the State Auditor's Office
- Summary of legislative action
- Safety/incident rate modeling
- Workers' compensation exemptions and cost shifting
- Regulation/oversight of claims examiners

VI. Public Comment

None.

VII. Next Steps

Next conference call: Friday, April 13, 1:30 – 3:00 pm

Next Advisory Council meeting (onsite) – Tuesday, May 15, 1:30 pm

For the complete discussions, download or listen online to the meeting recording at <http://erd.dli.mt.gov/wcstudyproject/labormngmntadvisorycouncilmeetinginfo.asp>